

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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MARK ANTHONY RODRIGUEZ,

Case No. 23-CV-3663 (NEB/JFD)

Plaintiff,

v.

ORDER ACCEPTING REPORT AND  
RECOMMENDATION

SHERBURNE COUNTY JAIL,

Defendant.

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The Court has received the February 7, 2024 Report and Recommendation of United States Magistrate Judge John F. Docherty. (ECF No. 20.) No party has objected to that Report and Recommendation, and the Court therefore reviews it for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Finding no clear error, and based upon all the files, records, and proceedings in the above-captioned matter, IT IS HEREBY ORDERED THAT:

1. The Report and Recommendation (ECF No. 20) is ACCEPTED;
2. Defendant's Motion to Dismiss (ECF No. 4) is GRANTED;
3. Plaintiff's Responsive Memorandum in Support of Motion for Summary Judgment (ECF No. 19) is DENIED as moot; and
4. The action is DISMISSED for lack of jurisdiction.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: March 12, 2024

BY THE COURT:

s/Nancy E. Brasel

Nancy E. Brasel

United States District Judge